

Town of Friendship Public Hearing and Regular Minutes

6:00 pm

July 16, 2025

Supervisor Hall Calls public hearing to order.

Pledge of Allegiance.

Roll call: Supervisor Hall-present

Councilperson- Carolyn Carney-present

Councilperson-Linda Mascho-present

Councilperson-Ken Burdick-present

Councilperson- Dave Norton-present

Also present: Patricia Schurr-Town Clerk

Assemblage for Public Hearing- Karl Kruger, Heather Trask, Alex McCumisky, Kristine Rathbun, Shaun McCarthy, BJ Howe, Tim Stead(Engineer), Richard Buck, Oakley Sortore, Clinton Brown(Alle.Co. Land Bank), John Barnes(Alle. Co. Land Bank)

This Public Hearing includes a certain supplemented map, plan and report, including a revised estimate of cost, in relation to the proposed increase and improvements to the facilities of the Friendship Sewer District (“Sewer District”), in the Town of Friendship, Allegany County, New York, consisting of the replacement of the existing comminutor with the new headworks, construction/rehabilitation of the biological treatment process, new/rehab of the effluent disinfection system, and improvements to the sludge handling/disposal system together with collection system improvements including CIP pipe lining, sewer main replacement and manhole rehabilitation and original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, at a revised maximum estimated cost of \$10,834,916 being an increase of \$2,634,916 over that previously authorized.

Said capital project has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (“SEQRA”), the implementation of which as proposed, it has been determined will not result in any significant environmental impact.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Motion to close the hearing by Ken Burdick, seconded by Linda Mascho.

Supervisor Hall closes the public hearing.

Supervisor Hall calls Regular meeting to order.

Pledge of Allegiance.

Roll Call: Supervisor Russell Hall-present

Councilperson- Carolyn Carney-present

Councilperson- Linda Mascho-present

Councilperson-Ken Burdick-present

Councilperson-Dave Norton-present

Also present-Patricia Schurr-Town Clerk

Assemblage: Dan Eck, Duke Eck, Karl Kruger, Heather Trask, Alex McCumisky, Kristine Rathbun, Shaun McCarthy, BJ Howe, Tim Stead(Engineer), Richard Buck, Oakley Sortore, Clinton Brown(Alle.Co. Land Bank) , John Barnes(Alle. Co. Land Bank).

<p>In the Matter</p> <p>of</p> <p>The Increase and Improvement of Facilities of The Town of Friendship Sewer District in the Town of Friendship, Allegany County, New York (Additional Cost)</p>	<p>PUBLIC INTEREST ORDER</p>
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WHEREAS, the Town Board of the Town of Friendship, Allegany County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, as supplemented, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Friendship Sewer District (“Sewer District”), in the Town of Friendship, Allegany County, New York, consisting of the replacement of the existing comminator with the new headworks, construction/rehabilitation of the biological treatment process, new/rehab of the effluent disinfection system, and improvements to the sludge handling/disposal system together with collection system improvements including CIP pipe lining, sewer main replacement and manhole rehabilitation and original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, at a revised maximum estimated cost of \$10,834,916, an increase of \$2,634,916 over that previously authorized; and

WHEREAS, at a meeting of said Town Board duly called and held on July 16, 2025, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of The Town of Friendship Sewer District in said Town at a revised maximum estimated cost of \$10,834,916, and to hear all persons interested in the subject thereof concerning the same at the GAR Community Hall, 29 West Water Street, in Friendship, New York, in said Town, on July 16, 2025, at 6:00 o’clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Friendship, Allegany County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of The Town of Friendship Sewer District, in the Town of Friendship, Allegany County, New York, consisting of the replacement of the existing comminutor with the new headworks, construction/rehabilitation of the biological treatment process, new/rehab of the effluent disinfection system, and improvements to the sludge handling/disposal system together with collection system improvements including CIP pipe lining, sewer main replacement and manhole rehabilitation and original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, at a revised maximum estimated cost of \$10,834,916.

Section 2. This Order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

Carolyn Carney – aye

Linda Mascho –aye

Dave Norton-aye

Ken Burdick –aye

Russ Hall-aye

The Order was thereupon declared duly adopted.

* * * * *

11-2025 BOND RESOLUTION DATED JULY 16, 2025.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$2,634,916 BONDS OF THE TOWN OF FRIENDSHIP, ALLEGANY COUNTY, NEW YORK, TO PAY THE INCREASED COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE TOWN OF FRIENDSHIP SEWER DISTRICT, IN THE TOWN OF FRIENDSHIP, ALLEGANY COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to increase and improve the facilities of The Town of Friendship Sewer District, in the Town of Friendship, Allegany County, New York, at a revised maximum estimated cost of \$10,834,916; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which, it has been determined will not have any significant adverse impact on the environment; and

RESOLVED, by the Town Board of the Town of Friendship, Allegany County, New York, as follows:

Section 1. The class of objects or purposes of paying the cost of the increase and improvement of The Town of Friendship Sewer District, in the Town of Friendship, Allegany County, New York, consisting of the replacement of the existing comminutor with the new headworks, construction/rehabilitation of the biological treatment process, new/rehab of the effluent disinfection system, and improvements to the sludge handling/disposal system together with collection system improvements including CIP pipe lining, sewer main replacement and

manhole rehabilitation and original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, is hereby authorized at a revised maximum estimated cost of \$10,834,916 bonds.

Section 2. It is hereby determined that the plan of financing thereof is as follows:

- a) by the issuance of \$8,200,000 bonds of said Town heretofore authorized to be issued pursuant to the bond resolutions dated and duly adopted on August 17, 2022, to be reduced by any grants-in-aid received, which grant proviso is hereby eliminated; and
- b) by the issuance of an additional \$2,834,916 bonds of said Town hereby authorized to be issued therefore, pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of the first obligation issued, therefore. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Friendship, Allegany County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said The Town of Friendship Sewer

District as applicable in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the

consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at the Supervisor's sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facition pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local finance Law. The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Carolyn Carney - Voting – aye

Linda Mascho- Voting-aye

David Norton – Voting - aye

Ken Burdick – VOTING-aye

Russ Hall- Voting- aye

The resolution was thereupon declared duly adopted.

12-2025
2025 WATER INFRASTRUCTURE IMPROVEMENT ACT
RESOLUTION REGARDING
TOWN OF FRIENDSHIP
SANITARY SEWER SYSTEM IMPROVEMENTS

WHEREAS, the Town of Friendship (hereinafter the “Town”) maintains the Town’s sanitary sewer system and appurtenances; and

WHEREAS, the Town is proposing to complete Sanitary Sewer System Improvements consisting of replacement of the existing process with a Sequence Batch Reactor (SBR) Process and appurtenances, etc. (collectively, the “Project”); and

WHEREAS, the Town has caused HUNT EAS to develop a May 2025 Preliminary Engineering Report (PER) Amendment #1 to their existing June 2022 Barton & Loguidice, DPC PER titled Sanitary Sewer System Improvements, for the Project with a total project cost estimate of \$10,834,916; and

WHEREAS, the Town is seeking financial assistance through the 2025 NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program; and

WHEREAS, the grant application requires that the applicant adopt a resolution that authorizes: the undertaking of the project and the maximum total cost of the project; expenditures for the project, including identification of any non-municipal source of funds; obligation of funds necessary to meet any required local match, including any cash and/or in-kind services; and when applicable, the submission of an application for financial assistance. The resolution must also designate a representative of the applicant who is authorized to sign the funding agreement with EFC and any associated documents.

NOW, THEREFORE, BE IT:

RESOLVED, that the Town authorizes the undertaking of the Sanitary Sewer System Improvements Project at a maximum total cost of \$10,834,916;

BE IT FURTHER RESOLVED, that the Town authorizes expenditures for said project, including a \$6,821,155 grant award through the New York State Department of Environmental Conservation (DEC) Water Quality Improvement Program (WQIP), and anticipates submission to the Environmental Facilities Corporation (EFC) Water Infrastructure Improvement Act (WIIA) for funding in the amount of up to **\$2,006,880**, meeting hardship eligibility criteria;

BE IT FURTHER RESOLVED, that the Town commits to providing a local match in the amount of at least \$2,006,881, but not to exceed \$3,010,321, from local sources, including cash and/or in-kind services as applicable, and may pursue additional funding opportunities including but not limited to USDA Rural Development or economic development programs;

BE IT FURTHER RESOLVED that the Town authorizes preparation and submission of an application for grant funding under the NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act Program on behalf of the Town; and

BE IT FURTHER RESOLVED that the Town Supervisor, currently Russell Hall, is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Town's obligations under the Water Infrastructure Improvement Act Grant Agreement; and

RESOLVED that the Russell Hall is authorized to execute expenditures for the Sanitary Sewer System Improvements Project under the NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act Program on behalf of the Town.

Passed by the following vote of all Board of Trustee of the Town Board Members voting in favor thereof:

Carolyn Carney-aye

Linda Mascho-aye

Dave Norton-aye

Ken Burdick-aye

Russ Hall-aye

This resolution shall take effect immediately.

Motion to approve the Minutes from June 18, 2025 meeting, offered by Carolyn Carney, seconded by Linda Mascho.

Motion to approve the audited bills in the amount of \$ 99,223.74, offered by Linda Mascho, seconded by Ken Burdick.

Roll call vote:

Carolyn Carney-aye

Linda Mascho-aye

Dave Norton-aye

Ken Burdick-aye

Russell Hall-aye

Motion to approve the Supervisor's Report for June 2025, offered by David Norton, seconded by Linda Mascho. All approve.

Supervisor's Concerns:

Firefighters tax exemption- Motion to table the decision regarding the Firefighter's exemption until an "impact assessment is done" to see how this would affect all, offered by Linda Mascho, seconded by Carolyn Carney. All approve.

Public Concerns:

Chris Rathbun(resident) voiced concerns regarding the depot fire debris at 4-6 Dept St. It has been there since January and nothing has been done. It is a hazard, not safe, when it is going to be cleaned up?

If something happens the owner could be criminally negligent. The Town has tried working with the owner to clean it up and his Insurance supposedly was just enough to pay off the loan to the mortgage Company. Dan Eck owns apartments next door, he would be interested in the property and would clean it up, if he could get it. Supervisor Hall advised Mr. Eck to give the Town a proposal for ownership and clean up and re-development. Supervisor Hall states we should put it in the Code and Attorney's hands, may have to get a judgement.

Motion to approve the attached Line transfers offered by Linda Mascho.
Seconded by Carolyn Carney.
Roll call: Carolyn Carney-aye
Linda Mascho-aye
Dave Norton-aye
Ken Burdick-aye
Russ Hall-aye

GENERAL FUND - TOWNWIDE

<i>Transfer From:</i>	AA.1990.400	Contingency	\$	5,000.00
	AA.9060.801	Hosp & Med - Buy Out/HRA	\$	2,775.00
		Unanticipated Revenue		
	AA.1090.000	Interest & Penalties Prop Tax	\$	795.00
			\$	8,570.00
<i>Transfer To:</i>	AA.1620.200	Buildings Equipment	\$	4,700.00
	AA.1910.400	Unallocated Insurance	\$	460.00
	AA.3510.400	Dog Control Contr Exp	\$	135.00
	AA.3620.400	Safety Inspections Contr	\$	500.00
	AA.9089.800	Hosp & Med - Buy Out/HRA	\$	2,775.00
			\$	8,570.00

HIGHWAY FUND - TOWNWIDE

<i>Transfer From:</i>	DA.9060.801	Hosp & Med - Buy Out/HRA	\$	4,600.00
			\$	4,600.00
<i>Transfer To:</i>	DA.9089.800	Medical Insurance Buy Out	\$	4,600.00
			\$	4,600.00

SEWER

<i>Transfer From:</i>	SS.8130.100	Sewage Treat Disp Pers Serv	\$	355.00
	SS.9060.801	Hosp & Med - Buy Out/HRA	\$	2,100.00
			\$	2,455.00
<i>Transfer To:</i>	SS.8130.200	Sewage Treat Equip & Cap Outlay	\$	355.00
	SS.9089.800	Medical Insurance Buy Out	\$	2,100.00
			\$	2,455.00

WATER DISTRICT

<i>Transfer From:</i>	SW.8320.400	Source of Supply Pwr & Pump Contr Exp	\$	510.00
			\$	510.00
<i>Transfer To:</i>	SW.8320.200	Source of Supply Pwr & Pump Equip & Cap Outlay	\$	180.00
	SW.8340.200	Transmission & Distr Equipment	\$	330.00
			\$	510.00

*Motion to approve the one time pool fill credit on sewer on the following accounts:

Acct.#0620 credit 3805 gallons/\$27.39 credit

Acct#1780 credit 4397 gallons/\$31.66 credit

Acct#3700 credit 17,234 gallons, full fill/\$124.09credit

Acct#2740credit 6764 gallons/\$48.70

Accvt#2050 credit 4229 gallons /\$30.45credit

Acct#3661 credit 13,529 gallons/\$97.41 credit

Acct.#2270 credit 3006 gallons/21.64 credit

Offered by Ken Burdick seconded by Linda Mascho.

Roll call -Carolyn Carney-aye

Linda Mascho-aye

Dave Norton-aye

Ken Burdick-aye

Russ Hall-aye

*ask about 4& 6 W. Main St. Land Bank water/sewer bill due \$122.98 past due will currently owe additional \$111.80 caps =\$234.78 status on billing or crediting.

Contact the Landbank.

*Approval for Credit request for Acct.#4750 had hot water tank leak amount of credit 8648 gallons for \$62.27 credit on sewer motion offered by Linda Mascho, seconded Dave Norton.

Roll call: Carolyn Carney- aye Linda Mascho- aye Dave Norton- aye Ken Burdick- aye

Russ Hall- aye

Public works/Water Sewer/ Refuse Concerns(Oakley Sortore):

Still waiting for the Generators, hoping we would of had them last winter....Just waiting on FEMA. Supervisor Hall brought up a last minute Grant but it is due by the end of the month. After discussion it was decided the Town would apply for it next year. Need to look into having a Grant writer, someone to call as needed.

ALLEGANY COUNTY LAND BANK-

Clinton Brown representing the Allegany County Bank gave a presentation with any questions from the assemblage and Town Board. Clinton Brown and John Barnes explained that the Town would benefit forming an Historic District in Friendship. Their objective is to rehab Distressed buildings that can be rehabilitated, their interest is 4 & 6 West Main St. Their plan is to turn downstairs into store front and upstairs as apartments. There is Tax credit if the building is certified Historic, the building is over 50 years old. To get the Credits the Town Board would have to pass a resolution to proceed with the formation of a Historic District. There are tax credits to historic homes that are within the district for the need of restoring if you qualify. A public Hearing will be held in the future for the residents of Friendship for any questions residents may have. After board discussion the following Resolution was brought forth:

RESOLUTION NO. 13-2025**TOWN OF FRIENDSHIP****RESOLUTION FOR THE FORMATION OF A HISTORIC DISTRICT**

WHEREAS, the Town of Friendship recognizes the cultural, historical, and architectural significance of certain areas within the Town;

WHEREAS, the establishment of a Historic District will promote the preservation of the Town's heritage and enhance community pride;

WHEREAS, the Town Board members of Friendship want to proceed with the formation of the Historic District;

NOW, THEREFORE, be it resolved by the Town Board of the Town of Friendship, that this resolution shall take effect immediately upon its adoption.

This Resolution was offered by Dave Norton and seconded by Linda Mascho.

Vote: Russell Hall-aye, Carolyn Carney-aye, Linda Mascho-aye, Dave Norton-aye, Ken Burdick-aye.

Adopted this 16th day of July, 2025

Town Board of the Town of Friendship

Reports Received:

Town Clerk Report June 2025

Highway Report June 2025

Justice Report

Police Report

Water Report

Code Enforcement Report

Dog Control Report

Dog Shelter Ag & Markets Report

8:53 pm Motion to go into executive session to discuss a personnel issue. Oakley Sortore invited into session, offered by Linda Mascho, seconded by Carolyn Carney.

10:25 pm Motion to go out of Executive session back into regular session, offered by Linda Mascho, seconded by Dave Norton.

10:30 pm Motion to adjourn offered by Linda Mascho, seconded by Ken Norton.

Respectfully submitted,

Patricia Schurr
Town Clerk